

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): WU, Shye-Lin	Patent No. : 7,064,408
Application No.: 10/731,503	Issued: 20 Jun 2006
Filed: 10 Dec 2003	Confirmation Number: 4637
Title: SCHOTTKY BARRIER DIODE AND METHOD OF MAKING THE SAME	
Attorney Docket No.: 4443/0480PUS1	

MAIL STOP 16

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR A REFUND

Sir:

On 22 December 2009, \$65.00 was mistakenly charged to the undersigned's credit card as a late surcharge for payment of a maintenance fee. It is noted that this surcharge should not be necessary, as the due date for payment of the maintenance fee was Sunday, 20 December 2009, and the U.S. Patent and Trademark Office was closed on Monday, 21 December 2009.

Due to this closure, 21 December 2009 is considered to be a "Federal holiday within the District of Columbia." Reference is made to the attached USPTO notice, which sets forth that any action or fee due on 21 December 2009 will be considered as timely if the action is taken, or the fee paid, on the next succeeding business day on which the USPTO is open.

Accordingly, the payment of the maintenance fee on 22 December 2009 should be considered timely and therefore no surcharge for late payment of the maintenance fee should be due.

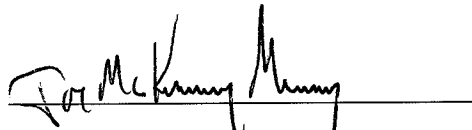
It is respectfully requested that the extraneous fee of \$65.00 either be credited to the credit card utilized for payment, or credited to Deposit Account No. 50-3828.

Favorable action on the present request is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3828 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Date: April 8, 2010

Respectfully submitted,



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**Closing of the United States Patent and Trademark Office
on Monday, December 21, 2009**

In view of the official closing of the Federal Government offices in the Washington, D.C. metropolitan area, including the United States Patent and Trademark Office (USPTO), on Monday, December 21, 2009, the USPTO will consider Monday, December 21, 2009, to be a "Federal holiday within the District of Columbia" under 35 U.S.C. § 21(b) and 37 C.F.R. §§ 1.6, 1.7, 1.9, 2.2(d), 2.195 and 2.196. Any action or fee due on Monday, December 21, 2009 (or the preceding Saturday (December 19, 2009) or Sunday (December 20, 2009)) will be considered as timely for the purposes of, e.g., 15 U.S.C. §§ 1051(b), 1058, 1059, 1062(b), 1063, 1064, 1126(d), or 35 U.S.C. §§ 119, 120, 133 and 151, if the action is taken, or the fee paid, on the next succeeding business day on which the USPTO is open, that is, Tuesday, December 22, 2009. 37 C.F.R. §§ 1.7(a) and 2.196.

37 C.F.R. §§ 1.6(a)(2), 2.195(a)(4) and 2.198 provide that correspondence deposited in the Express Mail Service of the United States Postal Service (USPS) in accordance with 37 C.F.R. §§ 1.10 or 2.198 will be considered filed on the date of deposit (as shown by the "date-in" on the Express Mail mailing label) with the USPS. Thus, any paper or fee properly deposited in the Express Mail Service of the USPS on Monday, December 21, 2009, in accordance with 37 C.F.R. §§ 1.10 or 2.198 will be considered filed on its respective date of deposit in the Express Mail Service of the USPS (as shown by a "date-in" of December 21, 2009, on the Express Mail mailing label).

37 C.F.R. § 1.6(a)(4) and 37 C.F.R. § 2.195(a)(2) provide that patent and trademark-related correspondence transmitted electronically to the USPTO will be considered filed in the USPTO on the date the USPTO received the electronic transmission. Thus, any patent and/or trademark-related correspondence transmitted electronically to the USPTO on Monday, December 21, 2009, will be considered filed in the USPTO on the date the USPTO received the complete electronic transmission. Correspondence successfully received by the USPTO through the patent Electronic Filing System (EFS-Web) will receive the date as indicated on the Acknowledgement Receipt.

Date: 12/22/09


David J. Kappos

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office